

APPROVED 9/3/2008



**BOARD OF ADJUSTMENT
CITY OF SCOTTSDALE
3939 NORTH DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA
JULY 2, 2008**

REGULAR MEETING MINUTES

PRESENT: Patrick Davis, Chair
Monica Lindstrom, Vice-Chair
Jennifer Goralski, Board Member
Geoffrey Kercksmar, Board Member
Terry Kuhstoss, Board Member
Howard Myers, Board Member

ABSENT: Carol Perica, Board Member

STAFF: Bryan Cluff
Tim Curtis
Sherry Scott

CALL TO ORDER

Vice-Chair Davis called the regular meeting of the Scottsdale Board of Adjustment to order at 6:01 p.m.

ROLL CALL

A formal roll call confirmed the members present as stated above.

REGULAR AGENDA

1. 2-BA-2008 Allen Garage Addition
Request for Variance from Sec. 5.504.E.2.a (regarding a side yard setback)

Chair Davis noted that the Applicant had requested a continuance to the August hearing in hopes of obtaining a full Board.

BOARD MEMBER KUHSTOSS MOVED TO CONTINUE 2-BA-2008 TO THE AUGUST HEARING. SECONDED BY BOARD MEMBER KERCSMAR, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

It was the consensus of the Board to allow interested parties who would be unable to attend the August hearing to speak. Chair Davis reviewed the four criteria.

Ms. Donna Broughton requested that the hearing be continued to September in order for her comments to be heard as part of the regular hearing with the Applicant present. She opined that because she is the Applicant's neighbor and has been adversely affected by the addition she has a right to request a continuance.

BOARD MEMBER KUHSTOSS MOVED TO CONTINUE 2-BA-2008 TO THE SEPTEMBER 3RD HEARING.

Ms. Scott noted that under the bylaws a continuance can be requested by staff, the Applicant, or a real property in interest; additional continuances may be granted upon show of good cause. She noted that Ms. Broughton would not be classified as a real party in interest. Because the Applicant requested continuance to the August hearing, the Board should take into consideration the availability of the Applicant in September.

Board Member Goralski noted that the September hearing would have a maximum of six members present because with the two outgoing members there will be a vacancy on the Board.

SECONDED BY BOARD MEMBER MYERS, THE MOTION CARRIED WITH A VOTE OF FIVE (5) TO ONE (1). BOARD MEMBER GORALSKI DISSENTED.

APPROVAL OF THE MINUTES

1. **March 5, 2008 Board of Adjustment Study Session Minutes**
2. **March 5, 2008 Board of Adjustment Regular Meeting (with Verbatim) Minutes**

BOARD MEMBER KUHSTOSS MOVED TO APPROVE THE MARCH 5, 2008 MINUTES OF THE BOARD OF ADJUSTMENT INCLUDING THE STUDY SESSION. SECONDED BY BOARD MEMBER GORALSKI, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SIX (6) TO ZERO (0).

Mr. Curtis noted that he would clarify whether the outgoing members' terms end August 31st or September 20th. He reiterated that staff would inquire whether an extension could be granted to one member in order to maintain a full board until a replacement is appointed.

PUBLIC COMMENT

None.

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 6:18 p.m.

Respectfully submitted,
AV-Tronics, Inc.